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25 UNITED STATES DISTRICT COURT  
26 NORTHERN DISTRICT OF CALIFORNIA

27 EQUAL EMPLOYMENT  
28 OPPORTUNITY COMMISSION,

Plaintiff,

v.

BALLY TOTAL FITNESS  
CORPORATION,

Respondent.

Case No. C 06 2974 JSW

**JOINT STIPULATION TO STAY ALL  
PROCEEDINGS PENDING MEDIATION**

Judge: Honorable Jeffrey S. White

1. Plaintiff Equal Employment Opportunity Commission and Defendant Bally Total Fitness, by and through their attorneys of record, hereby stipulate to stay all proceedings and discovery in this matter pending the parties participation in a mediation session. This stipulation will promote judicial economy and is in the interests of the parties and the Court.

2. Neither party is making any admissions or concessions concerning the underlying merits of the claims or defenses by entering into this stipulation.

IT IS SO STIPULATED:

Dated: October 10, 2006

WILLIAM R. TAMAYO  
CINDY O'HARA

EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION

Dated: October 40, 2006

ROBERT F. MILLMAN  
ROD M. FLIEGEL  
LITTLER MENDELSON  
A Professional Corporation  
Attorneys for Respondent  
BALLY TOTAL FITNESS CORPORATION

The Deadline to complete mediation is HEREBY set for January 19, 2007. The Case Management Conference is CONTINUED from October 27, 2006 to January 26, 2007.  
**IT IS SO ORDERED.**

**Dated:** October 11, 2006

JEFFREY S. WHITE  
U.S. DISTRICT COURT JUDGE

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